

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION

3 ILLINOIS COMMERCE COMMISSION) DOCKET NO.
4 On Its Own Motion) 01 -0053
5)
6 Proceeding under Section 16 -112(m))
7 of the Public Utilities Act to)
8 determine whether to continue or)
9 terminate the neutral -fact-finder)
10 procedure.)

11 Springfi eld, Illinois
12 March 9, 2001

13 Met, pursuant to notice, at 10:00 A.M.

14 BEFORE:

15 MR. LARRY JONES, Examiner

16 APPEARANCES:

17 MR. JOHN FEELEY
18 MR. STEVE REVETHIS
19 Office of General Counsel
20 160 North LaSalle Street, Suite C-800
21 Chicago, Illinois 60601
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 (Appearing on behalf of Staff of the
 Illinois Commerce Commission via
 teleconference.)

23 SULLIVAN REPORTING COMPANY, by
24 Carla J. Boehl, Reporter
25 Ln. #084-002710

1 APPEARANCES:

(Cont'd)

2 MR. MARK KAMINSKI
3 MR. R. LAWRENCE WARREN
4 Attorney General's Office
100 West Randolph, 12th Floor
Chicago, Illinois 60601

5 (Appearing on behalf of the People of the
6 State of Illinois via teleconference)

7 MR. JOSEPH L. LAKSHMANAN
8 500 South 27th Street
Decatur, Illinois 62521-2200
9 Ph. # (217) 362-7449
E-mail: joseph_lakshmanan@illinoispower.com

10 (Appearing on behalf of Illinois Power
Company)

11 MR. G. DARRYL REED
12 MS. SARAH J. READ
13 MS. COURTNEY A. ROSEN
14 Sidley & Austin
10 South Dearborn Street
Chicago, Illinois 60603
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16 (Appearing on behalf of Commonwealth
Edison Company via teleconference)

17 MR. TIMOTHY P. WALSH
18 130 East Randolph
23rd Floor
Chicago, Illinois 60601
19 Ph. # (312) 240-4454
E-mail: twalsh@pecorp.com

20 (Appearing on behalf of Peoples Energy
21 Services Corporation via
22 teleconference)

1		I N D E X		
2	WITNESSES	DIRECT CROSS REDIRECT RECROSS		
3	(None)			
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10		I N D E X		
11	EXHIBITS	MARKED	ADMITTED	
12	(None)			
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1 PROCEEDINGS

2 EXAMINER JONES: Good morning. I call for
3 hearing Docket 01-0053, Illinois Commerce Commission
4 on its own motion, proceeding under Section 16-112(m)
5 of the Public Utilities Act to determine whether to
6 continue or terminate the Neutral Fact Finder
7 procedure.

8 At this time we will take the appearances
9 orally for the record. We will start with individuals
10 who are physically present in Springfield.

11 MR. LAKSHMANAN: Joseph L. Lakshmanan,
12 L-A-K-S-H-M-A-N-A-N, 500 South 27th Street, Decatur,
13 Illinois 62521, appearing on behalf of Illinois Power
14 Company.

15 EXAMINER JONES: Thank you. Are there any
16 other appearances to be entered by those who are in
17 the Springfield hearing room? Okay, there are not.

18 At this time then we will take the
19 appearances from those individuals who are in the
20 hearing room in Chicago.

21 MR. KAMINSKI: Mark Kaminski and Larry Warren
22 for the Attorney General's Office on behalf of the

1 People of the State of Illinois, 100 West Randolph,
2 Chicago, Illinois 60601.

3 MR. WALSH: Timothy P. Walsh on behalf of
4 Peoples Energy Service Corporation, 130 Randolph
5 Drive, Chicago, Illinois 60601.

6 MR. REVETHIS: Steven G. Revethis and John C.
7 Feeley, staff counsel appearing on behalf of the
8 Illinois Commerce Commission Staff, Mr. Examiner.

9 MR. REED: G. Darryl Reed, R-E-E-D, Sarah J.
10 Read, that's R-E-A-D, Courtney A. Rosen from the law
11 firm of Sidley and Austin, 10 South Dearborn, Chicago,
12 Illinois 60603, on behalf of Commonwealth Edison
13 Company.

14 EXAMINER JONES: Thank you. Are there any
15 other appearances to be entered from the Chicago
16 hearing room? There are not.

17 As the parties are aware, there was a
18 prehearing in this case on February 15. At that time
19 by agreement of the parties present a schedule was put
20 into place. In addition, certain procedural ground
21 rules were put into effect. That schedule among other
22 things called for the filing of comments and reply

1 comments by parties. A number of parties have in fact
2 done so. In addition, the schedule called for today's
3 hearing date as well as the issuance of a proposed
4 order, exceptions and replies.

5 Having said that, I don't know if there
6 is really anything else that needs to be done today
7 prior to closing the record in this case. Were there
8 any other matters the parties wanted to take up before
9 we do so?

10 MR. WARREN: Mr. Examiner, this is Larry
11 Warren. Could you tell me what the hearing date was
12 scheduled for in the schedule?

13 EXAMINER JONES: I'm sorry, what are you
14 asking? What the date was?

15 MR. WARREN: Yeah, you said -- yeah, right,
16 you said there was a hearing date.

17 EXAMINER JONES: Today's date. Other than
18 the prehearing conference, the other hearing date that
19 was put into the schedule was the hearing referred to
20 by some parties as a status hearing on today's date.

21 MR. REVETHIS: The HEPO will be coming out on
22 or before March 22?

1 EXAMINER JONES: That's correct.

2 MR. REVETHIS: And then the exceptions, the
3 initial exceptions, are due the 29th of March, is that
4 correct?

5 EXAMINER JONES: Well, whatever the schedule
6 says. I don't think that is correct. Off the record
7 regarding the schedule.

8 (Whereupon there was then had
9 an off-the-record
10 discussion.)

11 EXAMINER JONES: Back on the record. There
12 was a short off-the-record discussion for the purposes
13 indicated. There was some comment regarding the, I
14 guess, further scheduling in this case. That schedule
15 was put into effect as noted at the February 15
16 prehearing. I think the parties used the
17 off-the-record discussion time there to take a look at
18 the transcript to refresh their memories with respect
19 to the scheduling.

20 It's my understanding, having done that,
21 that there are no other questions or comments
22 regarding scheduling or any other matters today before

1 we mark the record heard and taken. But just to make
2 sure, do the parties have anything else with respect
3 to scheduling or other matters before we mark this
4 matter heard and taken? Okay, they do not.

5 At this time then our thanks to the
6 parties for their participation at this hearing and in
7 this docket. The post-hearing schedule is in place.
8 At this time let the record show this matter is hereby
9 marked heard and taken.

10 HEARD AND TAKEN

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1 STATE OF ILLINOIS)
)SS
2 COUNTY OF SANGAMON)
 CASE NO.: 01-0053
3 TITLE: ICC On Its Own Motion

4 CERTIFICATE OF REPORTER

5 I, Carla J. Boehl, do hereby certify that I
6 am a court reporter contracted by Sullivan Reporting
7 Company of Chicago, Illinois; that I reported in
8 shorthand the evidence taken and proceedings had on
9 the hearing on the above-entitled case on the 9th day
10 of March, 2001; that the foregoing 9 pages are a true
11 and correct transcript of my shorthand notes so taken
12 as aforesaid and contain all of the proceedings
13 directed by the Commission or other persons authorized
14 by it to conduct the said hearing to be so
15 stenographically reported.

16 Dated at Springfield, Illinois, on this 22nd
17 day of March, A.D., 2001.

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20 Certified Shorthand Reporter

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